Application Number	Application/Control No.	Applicant(s)/Patent under Reexamination	
	10/651,663	XIE, FEI	

Document Code - DISQ	Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	☒ APPROVED	☐ DISAPPROVED
Date Filed : January 30, 2007	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:
Henry D. Jefferson

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	12-Feb-07	APPL. S. N:	10651663
To Examiner:	PAN, YUWEN	Art Unit	2618
From	Gunter-Riley, Joyce PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please initial, date and return this memo to me. THANK YOU.

- [x] The T.D. is PROPER and has been recorded (see 14.23).
- [ ] The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
  - [ ] The TD fee of _____ has not been submitted nor is there any authorization in the application file for the use of a deposit account
  - [ ] The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
  - [ ] The T.D. lacks the enforceable only during common ownership clause - needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
  - [ ] The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
  - [ ] The person who signed the T.D.:
    - [ ] is not an attorney "of record" (see 14.29 and 14.29.01).
    - [ ] has failed to state his/her capacity to sign for the business entity (see 14.28).
    - [ ] is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
  - [ ] No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
  - [ ] The T.D. is not signed (see 14.26 & 14.26.03).
  - [ ] The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
  - [ ] The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
  - [ ] The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
  - [ ] Other:
  - [ ] Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials:_____ Date:_____ Log Date:

OIPE IAP25
JAN 30 2007
PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 17405US03 (BU 2454 D2)

In the Application of:	Fei Xie
Serial No.:	10/651,663
Filed:	August 29, 2003
For:	METHOD OF RECORDING VOICE SIGNALS IN A MOBILE SET
Examiner:	Yuwen Pan
Group Art Unit:	2618
Conf. No.:	9326
Customer No.:	23446

CERTIFICATE MAILING

I hereby certify that the attached paper is being deposited with the United States Postal Service as first class mail with sufficient postage to addressee: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 25, 2007.

By: Philip Henry Sheridan
Philip Henry Sheridan
Reg. No. 59,918

TERMINAL DISCLAIMER UNDER 37 C.F.R. 1.321(c)

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Interest of Entity Making This Disclaimer

Broadcom Corporation is the assignee of the entire interest in this application and in U.S. Patent No. 7,136,630 filed December 22, 2000 and issuing November 14, 2006.

Disclaimer

Broadcom Corporation hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No.

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7,136,630, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only during such period that said patent is commonly owned with U. S. Patent No. 7,136,630, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee and its successors or assigns.

It is to be understood from the foregoing language that Broadcom Corporation does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of said U.S. Patent No. 7,136,630, even if the effective life of said U.S. Patent No. 7,136,630 is shortened by any event, subsequent or otherwise (such as, for example, failure to pay a maintenance fee, a court or Patent Office ruling, or a disclaimer by the Patentee).

Fee Status (37 C.F.R. 1.20(d))

Please charge any fees to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

EVIDENTIARY STATEMENT

The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

Date: January 25, 2007

By: Philip Henry Sheridan

Philip Henry Sheridan
Reg. No. 59,918
Agent for Applicant

McAndrews, Held & Malloy, Ltd.
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Chicago, Illinois 60661
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PTO/SB/17 (07-06)
Approved for use through 1/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004
Fees pursuant to the consolidated Appropriates Act. 2005 (H.R. 4818).

FEE TRANSMITTAL for FY 2006

JAN 30 2007 PATENT & TRADEMARK OFFICE

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 130.00

	Complete if Known
Application Number	10/651,663
Filing Date	August 29, 2003
First Named Inventor	Fei Xie
Examiner Name	Yuwen Pan
Art Unit	2618
Attorney Docket No.	17405US03

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 13-0017 Deposit Account Name: McAndrews Held & Malloy

For the above-identified deposit account, the Director is hereby authorized to (check all that apply)

☒ Charge Fee(s) indicated below ☐ Charge Fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fees(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
Application Type	Fee ($)	Small Entity Fee($)	Fee($)	Small Entity Fee($)	Fee($)	Small Entity Fee($)	Fees Paid($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee($)	Small Entity Fee($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims _____ -20 or HP _____ x _____ = _____ Fee Paid ($)

HP = highest number of total claims paid for, if greater than 20

Multiple Dependent Claims: Fee _____ Fee Paid ($) _____

Indep. Claims _____ -3 or HP _____ x _____ = _____ Fee Paid ($)

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets _____ -100 _____ Extra Sheets _____ /50 _____ Number of each additional 50 or fraction thereof (round up to a whole number) x _____ Fee($) = _____ Fee Paid($)

4. OTHER FEE(S)

	Fee Paid($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Terminal Disclaimer Under 37 C.F.R. 1.321(c)	$130.00

SUBMITTED BY

Signature	Philip Henry Sheridan	Registration No. (Attorney/Agent)	59,918	Telephone	(312)775-8000
Name (print/type)	Philip Henry Sheridan			Date	January 25, 2007

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.